



**HARRIS
35298**

***ROANOKE CITY COUNCIL
REGULAR SESSION***

***MAY 7, 2001
12:00 NOON***

***CLARION HOTEL ROANOKE AIRPORT
2727 FERNDAL DRIVE, N. W.***

AGENDA FOR THE COUNCIL

**The Mayor and Members of Roanoke City Council welcome all participants
in 2001 Student Government Day activities.**

Call to Order--Roll Call. All Present.

The invocation was delivered by Christin Richardson, Roanoke Catholic High School, Student Mayor.

The Pledge of Allegiance to the Flag of the United States of America was led by Mayor Smith.

**THE MEETING OF ROANOKE CITY COUNCIL WAS DECLARED
IN RECESS AT 12:20 P.M., TO BE RECONVENED AT 3:15 P.M., IN
THE ROANOKE CITY COUNCIL CHAMBER, 215 CHURCH
AVENUE, S. W., ROANOKE, VIRGINIA.**



***ROANOKE CITY COUNCIL
REGULAR SESSION***

***MAY 7, 2001
3:15 P.M.***

CITY COUNCIL CHAMBER

AGENDA FOR THE COUNCIL

1. Call to Order--Roll Call. All Present.

The Invocation was delivered by The Reverend E. M. Mitchell, Pastor, Emmanuel Tabernacle Baptist Church, Moneta, Virginia.

The Pledge of Allegiance to the Flag of the United States of America was led by Mayor Ralph K. Smith.

Welcome. Mayor Smith.

NOTICE:

Meetings of Roanoke City Council are televised live on RVTv Channel 3. Today's meeting will be replayed on Channel 3 on Thursday, May 10, 2001, at 7:00 p.m., and Saturday, May 12, 2001, at 4:00 p.m. Council meetings are now being offered with closed captioning for the hearing impaired.

ANNOUNCEMENTS:

THE PUBLIC IS ADVISED THAT MEMBERS OF COUNCIL RECEIVE THE CITY COUNCIL AGENDA AND RELATED COMMUNICATIONS, REPORTS, ORDINANCES AND RESOLUTIONS, ETC., ON THE THURSDAY PRIOR TO THE COUNCIL MEETING TO PROVIDE SUFFICIENT TIME FOR REVIEW OF INFORMATION. CITIZENS WHO ARE INTERESTED IN OBTAINING A COPY OF ANY ITEM LISTED ON THE AGENDA MAY CONTACT THE CITY CLERK'S OFFICE, ROOM 456, NOEL C. TAYLOR MUNICIPAL BUILDING, 215 CHURCH AVENUE, S. W., OR CALL 853-2541.

THE CITY CLERK'S OFFICE NOW PROVIDES THE CITY COUNCIL AGENDA PACKAGE ON THE INTERNET FOR VIEWING AND RESEARCH PURPOSES. TO ACCESS THE AGENDA MATERIAL, GO TO THE CITY'S HOMEPAGE AT www.roanokegov.com, CLICK ON THE ROANOKE CITY COUNCIL ICON, CLICK ON MEETINGS AND AGENDAS, AND DOWNLOAD THE ADOBE ACROBAT SOFTWARE TO ACCESS THE AGENDA.

ALL PERSONS WISHING TO ADDRESS COUNCIL ARE REQUESTED TO REGISTER WITH THE STAFF ASSISTANT WHO IS LOCATED AT THE ENTRANCE TO THE COUNCIL CHAMBER. ON THE SAME AGENDA ITEM, ONE TO FOUR SPEAKERS WILL BE ALLOTTED FIVE MINUTES EACH, HOWEVER, IF THERE ARE MORE THAN FOUR SPEAKERS, EACH SPEAKER WILL BE ALLOTTED THREE MINUTES.

Election to fill two vacancies on the Roanoke City School Board for terms of three years each, commencing July 1, 2001, and ending June 30, 2004. Applicants are:

Gary M. Bowman
Melvin W. Garrett
Melinda J. Payne
William E. Skeen
Ruth C. Willson

Melinda Payne and Ruth Willson were reappointed as Trustees of the Roanoke City School Board for terms commencing July 1, 2001, and ending June 30, 2004.

File #15-110-467

PRESENTATIONS:

Proclamation declaring Saturday, May 12, 2001, as Letter Carriers' Food Drive Day in the City of Roanoke.

File #3

Proclamation declaring the week of May 10 - 13, 2001, as National Historic Preservation Week in the City of Roanoke.

File #3-216

Presentation with regard to National Preservation Week. D. Kent Chrisman, Executive Director, History Museum and Historical Society of Western Virginia, Spokesperson.

File #80-216

PUBLIC HEARINGS:

Public hearing to receive comments with regard to a proposal of the City of Roanoke to provide office space, equipment rooms, storage space, locker and training rooms, coaches' and trainers' offices and 50 parking spaces to Arena Ventures, LLC, in connection with a license agreement between the City of Roanoke and Arena Ventures, LLC, involving the use of the Roanoke Civic Center Coliseum, for a period of five years, with up to a five year renewal, upon mutual agreement of the parties. Darlene L. Burcham, City Manager.

Adopted Ordinance No. 35298-050701 (7-0)

File #192-322

2.

CONSENT AGENDA

The Mayor relinquished the Chair to the Vice-Mayor due to a conflict of interest in connection with Item C-4.

(Approved 6-0, Mayor Smith abstained from voting.)

ALL MATTERS LISTED UNDER THE CONSENT AGENDA ARE CONSIDERED TO BE ROUTINE BY THE MEMBERS OF CITY COUNCIL AND WILL BE ENACTED BY ONE MOTION. THERE WILL BE NO SEPARATE DISCUSSION OF THE ITEMS. IF DISCUSSION IS DESIRED, THE ITEM WILL BE REMOVED FROM THE CONSENT AGENDA AND CONSIDERED SEPARATELY.

- C-1 Minutes of the regular meetings of Roanoke City Council held on Monday, October 2, 2000; and Monday, April 16, 2001, which meeting was reconvened on Thursday, April 19, 2001, for Roanoke City School Board interviews.

RECOMMENDED ACTION: Dispense with the reading thereof and approve as recorded.

- C-2 A communication from the Honorable Ralph K. Smith, Mayor, requesting a Closed Meeting to discuss vacancies on various authorities, boards, commissions and committees appointed by Council, pursuant to Section 2.1-344 (A)(1), Code of Virginia (1950), as amended.

RECOMMENDED ACTION: Concur in request to convene in Closed Meeting.

Withdrawn by the Mayor.

- C-3 A communication from Samuel G. Oakey, III, tendering his resignation as a member of the Special Events Committee.

RECOMMENDED ACTION: Receive and file communication and accept the resignation.

File #110-317

- C-4 A communication from the City Manager recommending that a public hearing be advertised, in connection with granting a revocable license to Burton Electric Signs, on behalf of First Citizen Bank, 110 Church Avenue, S. W., to allow installation of a sign encroaching approximately 18 inches into the right-of-way of Church Avenue.

RECOMMENDED ACTION: Concur in recommendation.
File #107-322-169

- C-5 Qualification of the following persons:

James P. Armstrong as a member of the Roanoke Neighborhood Partnership Steering Committee to fill the unexpired term of Mark E. Petersen, ending November 30, 2001;
File #15-110-488

William White, Sr., to fill the unexpired term of James D. Ritchie, resigned, ending April 8, 2003; C. Clark Jones for a term ending September 18, 2003; and Raymond D. Smoot, Jr., for a term ending February 24, 2005, as Commissioners of the Hotel Roanoke Conference Center Commission; and
File #15-110-247

Bob R. Caudle as a member of the Roanoke Neighborhood Partnership Steering Committee for a term ending November 30, 2003.
File #15-110-488

RECOMMENDED ACTION: Receive and file.

REGULAR AGENDA

- 3. HEARING OF CITIZENS UPON PUBLIC MATTERS: NONE.**
- 4. PETITIONS AND COMMUNICATIONS: NONE.**

5. REPORTS OF OFFICERS:

a. CITY MANAGER:

BRIEFINGS: NONE.

ITEMS RECOMMENDED FOR ACTION:

1. A communication recommending adoption of a policy with regard to the sale of land in City-owned watersheds.

Tabled.

2. A communication recommending acceptance of bids submitted by Magic City Motor Corporation for furnishing and delivering utility vehicles and pickup trucks, in the amount of \$109,081.00; and appropriation of funds in connection therewith.

Adopted Budget Ordinance No. 35299-050701 and Resolution No. 35300-050701. (7-0)

File #5-32-60-111-270-472

3. A communication recommending execution of Change Order No. 1 to the contract with Allegheny Construction Co., Inc., for the grading of Tract D at the Roanoke Centre for Industry and Technology, in the amount of \$868,500.00; and transfer of funds in connection therewith.

Adopted Budget Ordinance No. 35301-050701 and Ordinance No. 35302-050701. (7-0)

File #60-207

4. A communication recommending issuance of Change Order No. 11 to the contract with Thor, Inc., to provide for a change of the communication/data network system for the New Police Building Project, in the amount of \$30,081.00 and 12 additional calendar days of contract time.

Adopted Ordinance No. 35303-050701. (7-0)

File #5-60-472

5. A communication recommending execution of an agreement with the U. S. Army Corps of Engineers to provide Phase III Water Resources Planning - Digital Mapping products and services to the City, in the amount of \$118,000.00; and appropriation of funds in connection therewith.

**Adopted Budget Ordinance No. 35304-050701 and Resolution No. 35305-050701. (7-0)
File #60-468-159**

6. A communication recommending execution of a contract with Stearns and Wheler, LLC, for provision of engineering services in connection with evaluation and recommendations for interim improvements to the City's Regional Water Pollution Control Plant, in the amount of \$342,681.00.

**Adopted Budget Ordinance No. 35306-050701 and Resolution No. 35307-050701. (7-0)
File #60-468**

7. A communication with regard to opposing adoption of the proposed new National Fire Protection Association 1710 and 1720 standards.

**Adopted Resolution No. 35308-050701. (4-3, Council Members Hudson, Wyatt and Bestpitch voting no.)
File #70**

b. CITY ATTORNEY:

1. A report transmitting an ordinance authorizing amendments to certain sections of the Code of the City of Roanoke (1979), as amended, in connection with merging the Roanoke Arts Commission with the Cultural Services Committee, effective July 1, 2001.

**Adopted Ordinance No. 35309-050701. (7-0)
File #24-230-394**

c. DIRECTOR OF FINANCE:

1. Financial report for the month of March 2001.

Received and filed.

6. REPORTS OF COMMITTEES:

- a. A communication from Council Member W. Alvin Hudson, Jr., City Council's representative to the Roanoke Valley Cable Television Committee, transmitting the Roanoke Valley Cable Television Annual Budget for Fiscal Year 2001-02, totaling \$269,616.00, with the City's contribution totaling \$148,289.00.

Adopted Resolution No. 35310-050701. (7-0)

File #60-448

- b. A report of the Bid Committee recommending award of a contract to U. S. Filter Wastewater Group, Inc., to provide pilot testing and detailed shop drawings for the proposed membrane filtration system at the Crystal Spring Water Treatment Plant, in the amount of \$320,063.40; appropriation of funds in connection therewith; and a statement of concurrence by the City Manager in the recommendation. Council Member W. Alvin Hudson, Jr., Chair.

Adopted Budget Ordinance No. 35311-050701, Resolution No. 35312-050701, and Ordinance No. 35313-050701. (7-0)

File #53-60-468

- c. A report of the Bid Committee recommending award of a contract to Harris Office Furniture Co., Inc., for purchase and installation of furniture and equipment for the New Police Building located at 348 West Campbell Avenue, in the amount of \$229,786.00; and a statement of concurrence by the City Manager in the recommendation. Council Member W. Alvin Hudson, Jr., Chair.

Adopted Resolution No. 35314-050701. (7-0)

File #5-472

- d. A report of the Bid Committee recommending award of a contract to Corfu Contractors, Inc., to paint the exterior and interior of the 1,000,000 gallon Parkway standpipe potable water tank (between Falling Creek Treatment Plant and the Town of Vinton), in the amount of \$147,500.00 and 60 consecutive calendar days of contract time; transfer of funds in connection therewith; and a statement of concurrence by the City Manager in the recommendation. W. Alvin Hudson, Jr., Chair.

Adopted Budget Ordinance No. 35315-050701 and Ordinance No. 35316-050701. (7-0)
File #60-468

- e. A report of the Bid Committee recommending award of a contract to H. & S. Construction Co. for improvements and signalization at Hollins Road/Liberty Road, in the amount of \$89,681.06 and 100 consecutive calendar days of contract time; transfer of funds in connection therewith; and a statement of concurrence by the City Manager in the recommendation. W. Alvin Hudson, Jr., Chair.

Adopted Budget Ordinance No. 35317-050701 and Ordinance No. 35318-050701. (7-0)
File #20-60-264-514

7. UNFINISHED BUSINESS: NONE.

8. INTRODUCTION AND CONSIDERATION OF ORDINANCES AND RESOLUTIONS:

- a. A Resolution authorizing the City Manager to submit an approved Annual Update to the Consolidated Plan for FY 2001-2002 to the United States Department of Housing and Urban Development (HUD) for final review and approval, and authorizing execution of the appropriate documents for the acceptance of such funding.

Adopted Resolution No. 35319-050701. (7-0)
File #60-178-236

- b. An Ordinance changing the rate structure and establishing a revised rate schedule for septic tank disposal fees and for certain water rates and related charges for services provided by the City effective August 1, 2001; and directing amendment of the Fee Compendium.

**Adopted Ordinance No. 35320 on its first reading. (6-1, Council Member Wyatt voting no.)
File #60-289-468**

- c.(1) A Resolution amending the City's Fee Compendium to provide for new and revised application, permit, inspection and plan review fees in order to update current fees and promote uniformity with fees charged by the City and surrounding localities.

**Adopted Resolution No. 35321-050701. (7-0)
File #24-60-289**

- (2) An Ordinance amending and reordaining Section 20-33.1, Same-Requirements; obtaining license plate, tag or decal a condition precedent to discharge of violation, of the Code of the City of Roanoke (1979), as amended, the amended section to provide for the increase of certain penalties for unlawful parking within the City of Roanoke; and providing for an emergency and for an effective date.

**Adopted Ordinance No. 35322-050701. (5-2, Council Members Hudson and Wyatt voting no.)
File #20-24-60-289**

- (3) An Ordinance amending and reordaining Section 20-89, Penalties for unlawful parking, of the Code of the City of Roanoke (1979), as amended, the amended section to provide for the increase of certain penalties for unlawful parking within the City of Roanoke; and providing for an emergency and for an effective date.

**Adopted Ordinance No. 35323-050701. (5-2, Council Members Hudson and Wyatt voting no.)
File #20-24-60-289**

- d. An Ordinance amending and reordaining Section 32-190, Levied; amount, Code of the City of Roanoke (1979), as amended, to provide for an increase in the cigarette tax rate from \$.0085 per cigarette to \$.0135 per cigarette; providing for an effective date of July 1, 2001, and dispensing with the second reading of this ordinance.

Adopted Ordinance No. 35324-050701. (6-1, Mayor Smith voting no.)

File #24-60-79

- e. An Ordinance amending and reordaining Section 32-240, Levied; rate, Code of the City of Roanoke (1979), as amended, to establish a new transient occupancy tax rate; and providing for an effective date; and providing for an emergency.

Adopted Ordinance No. 35325-050701. (6-1, Mayor Smith voting no.)

File #24-60-79

- f. A Resolution electing to provide the Enhanced Health Insurance Credit Program as provided in Section 2.1-20.1:7(b), Code of Virginia (1950), as amended, for eligible current and future sheriffs and employees of such sheriffs, when retired, as provided in Article 5, Chapter 1 of Title 51.1, Code of Virginia.

Adopted Resolution No. 35326-050701. (7-0)

File #58-60-121-429

- g. An Ordinance amending Section 22.1-5.1, Retirement supplement, of Chapter 22.1, Pensions and Retirement, of the Code of the City of Roanoke (1979), as amended; providing for an effective date; and providing for an emergency.

Adopted Ordinance No. 35327-050701. (7-0)

File #24-60-184-429

- h. An Ordinance providing for certain supplemental benefits under the City of Roanoke Pension Plan to certain members of such Plan and certain of their surviving spouses; providing for an effective date; and providing for an emergency.

Adopted Ordinance No. 35328-050701. (7-0)
File #60-429

- i. A Resolution relating to payment of a matching contribution of not less than \$5.00 nor more than \$25.00 to the International City Management Association Retirement Corporation Deferred Compensation Plan on behalf of any non-temporary employee of the City who makes a contribution of an equal amount on his or her own behalf to such Plan; and repealing Resolution No. 34797-050900, adopted May 9, 2000.

Adopted Resolution No. 35329-050701. (7-0)
File #60-184-429

A certificate of the Director of Finance advising that funds required for the 2001-2002 General Fund, Water Fund, Sewage Treatment Fund, Civic Center Fund, Transportation Fund, Capital Projects Fund, Department of Technology Fund, Materials Control Fund, Management Services Fund, Fleet Management Fund, Risk Management Fund, School Fund, School Food Service Fund and Grant Fund budgets will be available for appropriation.

Received and filed.
File #1-60

- j. An Ordinance adopting the annual General Fund Appropriation of the City of Roanoke for the fiscal year beginning July 1, 2001, and ending June 30, 2002; and declaring the existence of an emergency.

Adopted Budget Ordinance No. 35330-050701. (6-0, Council Member Wyatt abstained from voting.)
File #60

- k. An Ordinance adopting the annual Water Fund Appropriation of the City of Roanoke for the fiscal year beginning July 1, 2001, and ending June 30, 2002; and declaring the existence of an emergency.

**Adopted Budget Ordinance No. 35331-050701. (6-1, Council Member Wyatt voting no.)
File #60-468**

- l. An Ordinance adopting the annual Sewage Treatment Fund Appropriation of the City of Roanoke for the fiscal year beginning July 1, 2001, and ending June 30, 2002; and declaring the existence of an emergency.

**Adopted Budget Ordinance No. 35332-050701. (7-0)
File #27-60**

- m. An Ordinance adopting the annual Civic Center Fund Appropriation of the City of Roanoke for the fiscal year beginning July 1, 2001, and ending June 30, 2002; and declaring the existence of an emergency.

**Adopted Budget Ordinance No. 35333-050701. (7-0)
File #60-192**

- n. An Ordinance adopting the annual Transportation Fund Appropriation of the City of Roanoke for the fiscal year beginning July 1, 2001, and ending June 30, 2002; and declaring the existence of an emergency.

**Adopted Budget Ordinance No. 35334-050701. (7-0)
File #60-331**

- o. An Ordinance adopting the annual Capital Projects Fund Appropriation of the City of Roanoke for the fiscal year beginning July 1, 2001, and ending June 30, 2002; and declaring the existence of an emergency.

**Adopted Budget Ordinance No. 35335-050701. (7-0)
File #60-217**

- p. An Ordinance adopting the annual Department of Technology Fund Appropriation of the City of Roanoke for the fiscal year beginning July 1, 2001, and ending June 30, 2002; and declaring the existence of an emergency.

Adopted Budget Ordinance No. 35336-050701. (7-0)
File #60-301

- q. An Ordinance adopting the annual Materials Control Fund Appropriation of the City of Roanoke for the fiscal year beginning July 1, 2001, and ending June 30, 2002; and declaring the existence of an emergency.

Adopted Budget Ordinance No. 35337-050701. (7-0)
File #45-60

- r. An Ordinance adopting the annual Management Services Fund Appropriation of the City of Roanoke for the fiscal year beginning July 1, 2001, and ending June 30, 2002; and declaring the existence of an emergency.

Adopted Budget Ordinance No. 35338-050701. (7-0)
File #60-299

- s. An Ordinance adopting the annual Fleet Management Fund Appropriation of the City of Roanoke for the fiscal year beginning July 1, 2001, and ending June 30, 2002; and declaring the existence of an emergency.

Adopted Budget Ordinance No. 35339-050701. (7-0)
File #60-361

- t. An Ordinance adopting the annual Risk Management Fund Appropriation of the City of Roanoke for the fiscal year beginning July 1, 2001, and ending June 30, 2002; and declaring the existence of an emergency.

Adopted Budget Ordinance No. 35340-050701. (7-0)
File #60-396

- u. An Ordinance adopting the annual School Fund Appropriation of the City of Roanoke for the fiscal year beginning July 1, 2001, and ending June 30, 2002; and declaring the existence of an emergency.

**Adopted Budget Ordinance No. 35341-050701. (6-0, Council Member Wyatt abstained from voting.)
File #60-467**

- v. An Ordinance adopting the annual School Food Service Fund Appropriation of the City of Roanoke for the fiscal year beginning July 1, 2001, and ending June 30, 2002; and declaring the existence of an emergency.

**Adopted Budget Ordinance No. 35342-050701. (6-0, Council Member Wyatt abstained from voting.)
File #60-467**

- w. An Ordinance adopting a portion of the annual Grant Fund Appropriation of the City of Roanoke for the fiscal year beginning July 1, 2001, and ending June 30, 2002; and declaring the existence of an emergency.

**Adopted Budget Ordinance No. 35343-050701. (7-0)
File #60-236**

- x. An Ordinance to adopt and establish a Pay Plan for officers and employees of the City, effective July 1, 2001; providing for certain salary adjustments and merit increases; authorizing annual salary increments for certain officers and employees for use of private motor vehicles; authorizing annual salary increments for sworn police officers assigned to the Criminal Investigation Division; authorizing annual salary increments for certain members of the Fire-Emergency Medical Services Department who are certified as Emergency Medical Technicians; authorizing annual salary increments for certain members of the Fire-Emergency Medical Services Department who are members of the Regional Hazardous Materials Response Team; providing for continuation of a police career enhancement program; providing for continuation of a Firefighter/Emergency Medical Technician merit pay

program; providing for payment of a monthly stipend to certain board and commission members; repealing Ordinance No. 34794-050900, adopted May 9, 2000, to the extent of any inconsistency; and providing for an emergency and effective date.

Adopted Ordinance No. 35344-050701. (7-0)
File #5-18-60-70-184

- y. An Ordinance authorizing and approving the establishment of a new position entitled Assistant Deputy Clerk in the Office of the City Clerk; and providing for an effective date and providing for an emergency.

Adopted Ordinance No. 35345-050701. (7-0)
File #38-60

9. MOTIONS AND MISCELLANEOUS BUSINESS:

- a. Inquiries and/or comments by the Mayor, Vice-Mayor and Members of City Council.

Council Member Hudson requested a briefing by the City Manager in regard to the City's Pay and Classification Plan.

Council Member Harris called attention to a concern expressed by a citizen with regard to the appearance of unlimited parking along the street that borders River's Edge Sports Complex from Franklin Road to Carilion Roanoke Memorial Hospital. He requested that the matter be referred to the City Manager for investigation and report to Council.

File #21-259

- b. Vacancies on various authorities, boards, commissions and committees appointed by Council.

10. OTHER HEARING OF CITIZENS UPON PUBLIC MATTERS:

CITY COUNCIL SETS THIS TIME AS A PRIORITY FOR CITIZENS TO BE HEARD. IT IS A TIME FOR CITIZENS TO SPEAK AND A TIME FOR COUNCIL TO LISTEN. MATTERS REQUIRING REFERRAL TO THE CITY MANAGER WILL BE REFERRED, WITHOUT OBJECTION, IMMEDIATELY, FOR ANY NECESSARY AND APPROPRIATE RESPONSE, RECOMMENDATION OR REPORT TO COUNCIL.

THE MEETING OF ROANOKE CITY COUNCIL WAS DECLARED IN RECESS TO BE RECONVENED ON THURSDAY, MAY 10, 2001, AT 12:00 NOON, FOR THE SECOND LEADERSHIP SUMMIT AT THE BOXTREE LODGE WHICH IS LOCATED OFF OF HARDY ROAD ON HAMMOND DRIVE.